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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHIN WON KANG, et. al.,

BROOKLYN OFFICE

Plaintiffs,

**MEMORANDUM AND ORDER**

-against-

08-cv-4848 (SLT) (JMA)

INNO ASSET DEVELOPMENT, LLC, et al.,

Defendants.  
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**TOWNES, United States District Judge:**

On October 27, 2010, Magistrate Judge Azrack filed on ECF a report and recommendation (the "R&R") recommending that the Court strike defendants' pleadings and render a default judgment against them pursuant to Fed. R. Civ. P. 37(b)(2)(A)(iii) and (iv) as a sanction for repeated failure to comply with discovery requests. In her R&R, Magistrate Judge Azrack alerted defendants to that portion of 28 U.S.C. § 636(b)(1), which provides that any objections to the R&R had to be filed within fourteen (14) days of service of the R&R.

To date, defendants have not filed any objection. A district court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Nevertheless, many courts seek to satisfy themselves "that there is no clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee note (1983 edition); *see also Edwards v. Town of Huntington*, No. 05 Civ. 339 (NGG) (AKT), 2007 WL 2027913, at \*2 (E.D.N.Y. July 11, 2007). Accordingly, this Court has reviewed the R&R for "clear error on the face of the record." The Court finds no clear error, and therefore adopts the R&R in its entirety as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

### **CONCLUSION**

For the aforementioned reasons, Magistrate Judge Azrack's Report and Recommendation, filed October 27, 2010, is adopted in its entirety. Defendants' pleadings are stricken and a default judgment is hereby entered against defendants. This matter is respectfully referred to Magistrate Judge Azrack for calculation of damages.

**SO ORDERED**

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~~SANDRA L. TOWNES~~  
United States District Judge

Dated: November 16, 2010  
Brooklyn, New York